

WOOD, HERRON & EVANS, L.L.P.

BRUCE TITTEL
DONALD F. FREI
DAVID J. JOSEPHIC
DAVID S. STALLARD
J. ROBERT CHAMBERS
GREGORY J. LUNN
KURT L. GROSSMAN
CLEMENT H. LUKEN, JR.
THOMAS J. BURGER
GREGORY P. AHRENS
WAYNE L. JACOBS
KURT A. SUMME
KEVIN G. ROONEY
KEITH R. HALPPT
THEODORE R. REMAKLUS
THOMAS W. HUMPHREY
SCOTT A. STINEBRUNER
DAVID H. BRINKMAN
BEVERLY A. LYMAN, PH.D.
KRISTIL L. DAVIDSON

OF COUNSEL
JOHN D. POFFENBERGER
THOMAS W. FLYNN

2700 CAREW TOWER
441 VINE STREET
CINCINNATI, OHIO 45202-2917
TELEPHONE: 513-241-2324
FACSIMILE: 513-241-6234

EMAIL: info@whepatent.com

PATENT, TRADEMARK, COPYRIGHT
AND UNFAIR COMPETITION LAW
AND RELATED LITIGATION

EDMUND P. WOOD 1923-1968
TRUMAN A. HERRON 1935-1978
EDWARD B. EVANS 1936-1971

JOSEPH R. JORDAN
C. RICHARD EBY
DAVID E. PRITCHARD

J. DWIGHT POFFENBERGER, JR.
KATHRYN E. SMITH
P. ANDREW BLATT, PH.D.
DAVID E. JEFFERIES
WILLIAM R. ALLEN, PH.D.
JOHN PAUL DAVIS
DOUGLAS A. SCHOLER
BRETT A. SCHATZ
DAVID W. DORTON
SARAH OTTE GRABER
STEVEN W. BENINTENDI, PH.D.
RANDALL S. JACKSON, JR.

TECHNICAL ADVISORS
HENRY M. LABODA, PH.D.

RECEIVED
CENTRAL FAX CENTER
JUN 06 2005

June 6, 2005

FACSIMILE COVER SHEET

To: Examiner Adnan M. Mirza
Group Unit No. 2145
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Fax: 703-872-9306

From: Thomas W. Humphrey

Re: Our File: IBM-188
US Application Serial No. 09/871,929
Filed June 1, 2001
PERVASIVE, DISTRIBUTED
PROVISION OF SERVICES SUCH
AS PRODUCT BROKERAGE
Dettinger et al.

Pages: 30 (including cover sheet)

MESSAGE/COMMENTS

Confirmation copy will not follow.

RECEIVED
JUN - 7 2005
OIPE/JCWS

The information in this facsimile message is ATTORNEY-CLIENT PRIVILEGED, WORK PRODUCT and/or CONFIDENTIAL INFORMATION intended only for the use of the individual or entity to whom this message is addressed. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution or reproduction of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via mail. Thank you. If transmission is interrupted or of poor quality, please notify us immediately by calling (513) 241-2324 and ask for the sender's assistant. OUR FAX NUMBER IS (513) 241-6234.

PATENT
ATTY. DOCKET NO. IBM/188

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Dettinger et al. Art Unit: 2145
Serial No. : 09/871,929 Examiner: Adnan M. Mirza
Filed : June 1, 2001
For : PERVASIVE, DISTRIBUTED PROVISION OF SERVICES SUCH AS
PRODUCT BROKERAGE

Mail Stop AMENDMENT
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Via Facsimile

AMENDMENT TRANSMITTAL

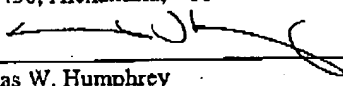
1. X Transmitted herewith is a Response to Office Action.
2. Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
Enclosed is a verified statement to establish Small Entity status
- X Other than a Small Entity
3. The fee has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY		LARGE ENTITY	
Claims Remaining After Amendment		Highest No. Previously Paid For		Extra	Present Rate	Fee	Present Rate	Fee
TOTAL	64	MINUS	64	0	x \$25	\$0	x \$50	\$0
INDEP.	12	MINUS	12	0	x \$100	\$0	x \$200	\$0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+\$180	\$0	+\$360	\$0
TOTALS					TOTAL FEE	\$0	TOTAL FEE	\$0

 Additional fee for claims is required.

06/07/2005 HTECKLU1 00000059 233000 09871929
01 FC:1252 450.00 DA

I hereby certify that this correspondence is being sent via facsimile (703-872-9306) to Examiner Adnan M. Mirza in Art Unit 2145 at Mail Stop: Amendment, U.S. Patent Office, P.O. Box 1450, Alexandria, VA 22313-1450: June 6, 2005


Thomas W. Humphrey
Reg. No. 34,353

4. X Attached is a check in the sum of \$_. Please charge my Deposit Account No. 23-3000 in the amount of \$ 450.00.

5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

Complete (a) or (b) as applicable.

(a) X Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

Extension (months)	Fee for other than small entity	Fee for small entity
<u> </u> one month	\$ 120.00	\$ 60.00
<u> X </u> two months	\$ 450.00	\$225.00
<u> </u> three months	\$1020.00	\$510.00
<u> </u> four months	\$1590.00	\$795.00
<u> </u> five months	\$2160.00	\$1080.00
Extension fee due with this request \$ <u>450.00</u> .		

If an additional extension of time is required, please consider this a petition therefor. (Check and complete the next item, if applicable)


 An extension for months has already been secured and the fee paid thereof of \$ is deducted from the total fee due for the total months of extension now requested.
Extension fee due with this request \$.

OR

(b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

 X If any additional fee for claims or extension of time is required, charge Account No. 23-3000.

Respectfully submitted,



Thomas W. Humphrey
Reg. No. 34,353

Wood, Herron & Evans, L.L.P.
2700 Carew Tower
441 Vine Street
Cincinnati, OH 45202-2917
Voice: (513) 241-2324
Facsimile: (513) 241-6234

JUN. 6. 2005 4:22PM

513 241 6234

RECEIVED
CENTRAL FAX CENTER

NO. 1190 P. 4

JUN 06 2005

PATENT
ATTY. DOCKET NO. IBM/188

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Dettinger et al. Art Unit: 2145
Serial No. : 09/871,929 Examiner: Adnan M. Mirza
Filed : June 1, 2001
For : PERVASIVE, DISTRIBUTED PROVISION OF SERVICES SUCH
AS PRODUCT BROKERAGE

Mail Stop Non-Fee Amendment
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Via Facsimile

RESPONSE TO OFFICE ACTION

This paper is in response to the Office Action mailed
January 4, 2005.

Claim amendments begin on page 2 of this paper.

Remarks begin on page 19 of this paper.

I hereby certify that this correspondence is being sent via
facsimile (703-872-9306) to Examiner Adnan M. Mirza in Art
Unit 2145 at U.S. Patent Office, P.O. Box 1450, Alexandria,
VA 22313-1450: June 6, 2005

Thomas W. Humphrey
Reg. No. 34,353